

RESOLUTION OF THE BOSTON REDEVELOPMENT AUTHORITY REGARDING
AN AMENDMENT TO THE PARK PLAZA URBAN RENEWAL PLAN
AND A CORRESPONDING AMENDMENT TO THE COOPERATION AGREEMENT
BY AND BETWEEN THE CITY OF BOSTON
AND THE BOSTON REDEVELOPMENT AUTHORITY
FOR THE PARK PLAZA URBAN RENEWAL PROJECT

WHEREAS, an Urban Renewal Plan for the Park Plaza Urban Renewal Area was adopted by the Boston Redevelopment Authority on July 15, 1971 and submitted to the Boston City Council thereafter; and

WHEREAS, the Boston City Council approved the Park Plaza Urban Renewal Plan by Vote of December 6, 1971; and

WHEREAS, the Boston Redevelopment Authority by Vote of December 16, 1971, accepted and effected certain changes voted by the City Council in approving the Park Plaza Urban Renewal Plan on December 6, 1971; and

WHEREAS, the Mayor of the City of Boston approved the Park Plaza Urban Renewal Plan, as previously approved by the City Council and the Boston Redevelopment Authority, on December 22, 1971; and

WHEREAS, the Department of Community Affairs has given its final approval of said Plan; and

WHEREAS, in light of the citizen, governmental and environmental reviews and further controls and recommendations with respect to the development proposed to be undertaken by the Authority, satisfactory to the Department, it is desirable to make certain changes in said Plan in conformity therewith; and

WHEREAS, in view thereof it is also desirable to make certain changes in the Cooperation Agreement between the City of Boston and the Boston Redevelopment Authority for Park Plaza Urban Renewal Project, which Agreement is dated January 6, 1972:

NOW, THEREFORE, BE IT RESOLVED BY THE BOSTON REDEVELOPMENT AUTHORITY:

1. That the Park Plaza Urban Renewal Plan be and the same is hereby amended as follows:

- (i.) By deleting therefrom Maps No. 3 and 6 and by inserting in lieu thereof Maps 3 and 6, which maps have been revised so as to reflect those controls approved by the Department of Community Affairs, and which maps, as revised, are attached hereto.
- (ii.) By deleting therefrom Pages 17-21 and inserting in lieu thereof pages numbered 17, 18, 18A, 18B, 18C, 19, 20 and 21, which pages have been modified so as to reflect changes in use and dimensional controls which are consistent with the controls approved by the Department of Community Affairs and which substitute pages are attached hereto.
- (iii.) By deleting therefrom paragraph "b" of Section B(3) of said plan.
- (iv.) By deleting from Section C(4) the words "Project Improvements Report" and inserting in lieu thereof the words "Park Plaza Final Supplemental Environmental Impact Report".
- (v.) By inserting in Section G after the list of structures which are not to be demolished the words "and any other structures located on properties that are not designated for acquisition on Map 3. However, the Motor Mart Garage may be acquired and rehabilitated in accordance with the plan".
- (vi.) By deleting in its entirety the second sentence of Section I.
- (vii.) By deleting from the first sentence in Section J(2)(a) the words "of more than 2,000 dwelling units".
- (viii.) By deleting the last sentence of Section L(2)(b).
- (ix.) By adding to the first sentence of Section L(4)(c) after the phrase "In the event the total costs of relocation", the words "with respect to any parcel developed by Urban".

- (x.) By deleting in its entirety the second paragraph in Section (M) (2).
- 2. That all other provisions of said Plan not inconsistent herewith be and are continued in full force and effect.
- 3. That the Cooperation Agreement between the City of Boston and Boston Redevelopment Authority for Park Plaza Urban Renewal Project executed January 6, 1972, be amended by making deletions and additions necessary to conform it with the Park Plaza Urban Renewal Plan approved by the Department of Community Affairs and the supporting documentation, which deletions and additions shall be substantially in the form of the document entitled "City of Boston In City Council, Cooperation Agreement, Amendment No. 1", which document is attached hereto.
- 4. That the Secretary is hereby authorized to file the aforesaid amendments to the Park Plaza Urban Renewal Plan with the minutes of this meeting and that said amendments shall be conclusively deemed to be the official amendments to the Park Plaza Urban Renewal Plan.
- 5. That the Director be and is hereby authorized to submit to the Mayor for his approval and submission to the City Council and the Massachusetts Department of Community Affairs for their respective approvals the Amendments to the Park Plaza Urban Renewal Plan and the Cooperation Agreement between the City of Boston and Boston Redevelopment Authority approved by this Authority on this day.
- 6. That the Director be and hereby is authorized to execute the aforementioned Amendment to the Cooperation Agreement on behalf of the Boston Redevelopment Authority and is further authorized to perform such other acts and sign such other instruments necessary to accomplish this purpose.
- 7. That all feasible measures have been taken to avoid or minimize damage to the environment.

4. Land Use and Building Requirements for Disposition Parcels*

PARCEL 1

Arlington/Hadassah Subparcel of Parcel 1

Permitted Uses

Commercial, office, residential, hotel, entertainment, open space and cultural.

Parking permitted below grade only.

Height

85' maximum for 50' depth from property line along Boylston Street and 130' maximum on the remainder of the site.

Vehicular Access

No curb cuts are permitted if access for servicing or parking is provided and is feasible at subgrade from either the Plaza or Hadassah/Charles subparcels. If no such access is feasible then the necessary access and servicing shall be provided from the Providence Street area and in accordance with the provisions of Section F.2.c.(2) of this Plan.

Other Requirements

Forty-five foot pedestrian, vehicular and utility easement along the Hadassah Way alignment.

Direct linkage of peripheral arcades to those included within redevelopment of abutting parcel.

Provide weather protected connection from development to the Arlington Street subway. This connection shall link the station to the arcade system required around the grade level periphery of the redeveloped buildings.

Hadassah/Charles Subparcel of Parcel 1

Permitted Uses

Commercial, residential, hotel, entertainment, open space and cultural.

Parking permitted below grade only.

*The specific parcels described in this section are shown by number on the Land Disposal Map (Map No. 6)

Height

130' maximum for 75' depth from property line along Boylston Street to Hadassah Way and 155' maximum on remainder of site.

Vehicular Access

Possible hotel drop-off along or from Boylston Street or Hadassah Way. No additional curb cuts or access shall be permitted if adequate access for servicing or parking is provided at subgrade from other parcels. If no such access is provided, then the necessary access and servicing shall be provided from Providence Street and/or Hadassah Way in accordance with the provisions of Section F.2.c.(2). All efforts shall be made to avoid any curb cut along Charles Street, although such action will be considered in the event it is the only feasible means of providing the necessary service.

PARCEL 2

Park Square Subparcel of Parcel 2

Permitted Uses

Commercial, residential, office, hotel, entertainment, open space, cultural and parking.

Height

300' maximum for residential use, 250' for office use, and 125' for parking.

Vehicular Access

If no access can be linked to and combined with abutting subparcels, then access to servicing shall be provided from Charles Street in accordance with the provisions of Section F.2.c.(2).

Church/Charles Subparcel of Parcel 2

Permitted Uses

Commercial, residential, office, hotel, entertainment, open space, cultural and parking.

Height

125' maximum.

Vehicular Access

From Stuart and Charles Street, but not within 40' of an intersection. Access to be linked and combined with abutting subparcel and Statler Hilton access and also with any subgrade service access serving the project area or a portion thereof.

Other Requirements

Every reasonable effort shall be made to include a car rental agency in the first floor of any redevelopment on this parcel.

PARCEL 3

Charles/Tremont Subparcel of Parcel 3

Permitted Uses

Commercial, residential, office, hotel, entertainment, open space, cultural and parking.

Every effort should be made to retain the existing Saxon Theater. If the Saxon Theater should be acquired and demolished, a replacement facility of its kind shall be provided in the new development and the existing facade retained. Parking permitted below grade only.

Height

145' maximum except for:

- 100' maximum north of a line 50' south of and parallel to the southern boundary of Townsend Place and its projection, or if the development should directly abut the 2 Park Square building, the 100' height may be from the southern boundary of Townsend Place and its projection.
- Every effort shall be made to respect the 125' cornice line along Tremont Street.

Vehicular Access

From Allen's Alley, Stuart Street and Charles Street, but not within 40' of an intersection.

Other Requirements

Pedestrian easement along the Boylston Place/Warrenton Street alignment and with a minimum width of 45'.

A significant area of public open space which shall be designed in such a way to obviate any adverse environmental effects such as constant shadowing. This space shall be contiguous with the Boylston Place/Warrenton Street easement and shall be connected by a pedestrian easement to New Charles Street.

Every effort shall be made to:

- (1) Investigate the possibility of coordinating construction with a utilities tunnel in Stuart Street which could include a common party wall and access through redevelopment basement.
- (2) Allow for possible subway easement along Stuart Street.
- (3) Make available a proportion of the available parking spaces to be constructed for evening use of theater patrons.
- (4) Make allowances for express and turnpike bus waiting areas abutting Stuart Street; should such buses be provided, pull-off space could be within the neckdown lane of Stuart Street.

Piano Row/Boylston Place Subparcel of Parcel 3

Permitted Uses

Commercial, residential, office, hotel, entertainment, open space and cultural.

Height

125' maximum north of a line parallel to and 140' from the Boylston Street property line. 35' maximum for remainder of parcel.

Vehicular Access

No curb cuts are permitted if access for servicing or parking is provided at subgrade from other parcels. If no such access is provided, then the necessary access and servicing shall be provided from Charles Street but not within 40' of an intersection and in accordance with the provisions of Section F.2.c.(2).

Other Requirements

45' pedestrian easement along the Boylston Place alignment.

PARCEL 4

In accordance with the requirements of the final approval of the Massachusetts Department of Community Affairs, dated November 23, 1976, an environmental impact report, including building mass, use and location study, will be prepared prior to commencement of development on Parcels 4 and 5.

Permitted Uses

Commercial, Residential, Office, Hotel, Entertainment, Open Space, and Cultural.

No parking required.

Height

No major structure above 125' at the corner of Boylston and Tremont Streets; 650' maximum on remainder of site.

F.A.R.

15.

(A bonus of up to 17 F.A.R. may be permitted if certain desired cultural facilities are provided in the development.)

Vehicular Access

From Washington and Stuart Streets, but not within 50' of any intersection.

Other Requirements

Pedestrian easements through Parcel 4 from Tremont Street to Washington Street and from the northeast and northwest corners to the center of Parcel 4.

Pedestrian connections to Boylston and Essex Subway Stations.

PARCEL 5

Permitted Uses

Commercial, Office, Residential, Hotel, Entertainment,
and Parking.

Height

450' maximum.

F.A.R.

15.

Vehicular Access

From Beach, Essex, and Knapp Streets and Harrison Avenue.

Other Requirements

Pedestrian easement at grade along existing Beach Street r.o.w. within Parcel 5.

Pedestrian connections to Essex Subway Station.

PARCEL A

Parcels A and B are not within the area for public acquisition. These controls apply to any redevelopment of these sites whether assembled by abutters or other parties. If Parcel A or B is subdivided or redeveloped in stages, the controls apply to any and all portions of the site. If the Colonial Theatre is to be demolished, a replacement facility of its kind must be provided in the new development or in a location acceptable to the Boston Redevelopment Authority.

Permitted Uses

Commercial, Hotel, Office, Residential, Entertainment, Cultural, Open Space, and Parking.

Height

300' maximum.

Vehicular Access

From Arlington, Providence, Hadassah and Stuart Streets, but not within 40' of an intersection. Any service roads between Arlington and Stuart Streets are to be so designed as not to allow a public vehicular throughway.

Hotel drop-off shall be from Providence and Stuart Streets. A maximum of two curb cuts (one entry and one exit) shall be permitted from each street and one curb cut from Arlington Street. No curb cut shall be permitted within 40' of an intersection.

No drop-offs shall be permitted along the curbs of Arlington and Stuart Streets unless the above provisions are shown to be clearly infeasible.

Servicing shall be at subgrade.

Other Requirements

45' pedestrian easement along the Church/Hadassah Street alignment.

PARCEL B

Parcels A and B are not within the area for public acquisition. These controls apply to any redevelopment of these sites whether assembled by abutters or other parties. If Parcel A or B is subdivided or redeveloped in stages, the controls apply to any and all portions of the site. If the Colonial Theatre is to be demolished, a replacement facility of its kind must be provided in the new development or in a location acceptable to the Boston Redevelopment Authority.

Permitted Uses

Commercial, Residential, Office, Hotel, Entertainment, Cultural, and Open Space.

Height

125' maximum.

F.A.R.

10

Vehicular Access

Through Parcel 3 or, if that cannot be achieved,
from Tremont Street.

Other Requirements

Access to the Boylston Subway Station complex.

CITY OF BOSTON
IN CITY COUNCIL
COOPERATION AGREEMENT
AMENDMENT NO. 1

THIS AMENDMENT NO. 1 ("Amendment") made as of this day of , 1977 by and between the BOSTON REDEVELOPMENT AUTHORITY, a public body politic and corporate organized and existing under Chapter 121B of the Massachusetts General Laws, (the "Authority") and the CITY OF BOSTON, a municipal corporation in the Commonwealth of Massachusetts, (the "City").

W I T N E S S E T H:

WHEREAS, at the time of its approval of the Park Plaza Urban Renewal Plan (the "Plan"), the City Council approved and authorized the execution by the Mayor of that certain Cooperation Agreement between the Authority and the City dated January 6, 1972 (the "Cooperation Agreement");

WHEREAS, the citizen, governmental and environmental reviews that the Plan has undergone have resulted in certain recommendations with respect to the development proposed to be undertaken by the Authority;

WHEREAS, the Authority and the City wish to amend the Cooperation Agreement by adopting such recommendations;

NOW, THEREFORE, in consideration of the mutual covenants and agreements herein contained and the mutual benefits to be derived from this Amendment, the parties hereto hereby agree as follows:

1. The paragraph of the Cooperation Agreement beginning with the last sentence on page 3 and ending on page 4 is hereby deleted.

2. The first sentence in paragraph 2 of the Cooperation Agreement is hereby amended by deleting the words "aforesaid public improvements" in the fourth line thereof and substituting the words "public improvements described in the Plan" in place thereof. The following is hereby added at the end of such paragraph 2: "The provisions of Chapter 859 of the Acts of 1975 shall be deemed to satisfy the foregoing conditions with respect to the completion of the first phase of the Project."

3. Paragraph 12 of the Cooperation Agreement is hereby deleted and the following substituted in place thereof:

"The Authority and the City acknowledge that Boston Urban Associates has deposited with the Authority the sum of One Hundred Thousand Dollars (\$100,000). The Authority shall include a provision in any land disposition agreement executed by the Authority and Boston Urban Associates requiring Boston Urban Associates to deliver to the Authority a letter or letters of credit in the total sum of Four Hundred Thousand Dollars (\$400,000) when:

- (a) the Schematic Design for the Hotel Subparcel has been approved by the Authority, and
- (b) Chapter 121A determinations and approvals have been favorably obtained and are legally effective and the related Chapter 121A contract with the City has been duly executed, with respect to all appropriate elements to be developed on the Hotel Subparcel under Chapter 121A in accordance with the Land Disposition Agreement.

Such sums deposited by Boston Urban Associates shall secure the acquisition by it of the Hotel Subparcel, and Four Hundred and Fifty Thousand Dollars (\$450,000) thereof may be applied by Boston Urban Associates toward the purchase of the Hotel Subparcel. The balance thereof may be applied toward the purchase price of the Arlington Street/Hadassah Way Subparcel."

4. Paragraphs 14 and 17 of the Cooperation Agreement are hereby deleted.

5. Except as otherwise expressly set forth in this Amendment, the Cooperation Agreement shall remain in full force and effect.

IN WITNESS WHEREOF, the Authority and the City have executed this Amendment as of the day and year first above written.

ATTEST:

CITY OF BOSTON

By

Kevin H. White, Mayor

Approved as to legal form:

Herbert P. Gleason,
Corporation Counsel

ATTEST:

BOSTON REDEVELOPMENT AUTHORITY

By

Robert F. Walsh, Director

Approved as to legal form:

Charles J. Speleotis,
Chief General Counsel

MEMORANDUM

May 12, 1977

TO: BOSTON REDEVELOPMENT AUTHORITY
FROM: ROBERT F. WALSH, DIRECTOR
SUBJECT: PARK PLAZA URBAN RENEWAL PLAN

On November 23, 1976, the Executive Office of Communities and Development completed its review of the Park Plaza Urban Renewal Plan. On the basis of this review and the findings set forth in the letter from Commissioner Crampton to the Authority dated March 5, 1974, the Department of Community Affairs gave its final approval of the plan.

This approval indicated that the condition of Commissioner Crampton's letter of March 5, 1974, requiring a Building Mass, Use and Location Study covering Parcels A, B, and C had been satisfied and that the Environmental Impact Report adequately complied with the requirements of the Massachusetts Environmental Policy Act, Chapter 30, Sections 61 and 62 of the General Laws.

The Building Mass, Use and Location was undertaken with the assistance of the Civic Advisory Committee to evaluate a series of design alternatives ranging from a development program of almost 6 million square feet to 2.8 million square feet. As a result of this analysis, the 5.8 million square foot development program which was originally submitted to the City Council in September, 1971 and approved on December 6, 1971, was reduced to less than 2.8 million square feet.

The reduced scale of the project was formalized by a set of controls establishing setbacks, maximum densities, uses and the maximum height of structures. The controls are far more restrictive on development than those permitted by the Urban Renewal Plan approved by the City Council. For example, the proposed density has been reduced by sixty (60%) per cent, the number of towers has been reduced from five (5) to one (1) (including the elimination of a tower on Boylston Street opposite the Boston Garden), and the maximum height has been reduced from six hundred and fifty (650') feet to three hundred (300') feet. These revisions were incorporated in a new Letter of Intent dated September 15, 1976, and approved by

the Authority on October 28, 1976, which included as an exhibit, "Controls to Be Included as a Part of Any Conveyance of Land in the Park Plaza Urban Renewal Project Area."

In order to insure that the Urban Renewal Plan which permits a development program of up to 5.8 million square feet and building heights of up to 600 feet is in conformance with the more restrictive controls that resulted from the Building Mass Study, it is appropriate to make certain modifications to the documents that were originally submitted to the City Council in September of 1971.

The modifications include an amendment to the Cooperation Agreement between the City and the Authority and a resolution setting forth the necessary changes to the Urban Renewal Plan, both of which are attached. These documents, when approved by the Authority and the City Council, will insure that the development program defined by the Environmental Impact Report is the same development program that is permitted by the Urban Renewal Plan.

An appropriate Resolution is attached.

Attachment